

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 2:18-cr-00151

MUHAMMED SAMER NASHER-
ALNEAM, M.D.

MEMORANDUM OPINION AND ORDER

On January 30, 2019, the defendant, Muhammed Samer Nasher-Alneam, M.D., appeared in person and by counsel, Michael Hissam and Isaac Forman and the United States appeared by C. Haley Bunn and Jennifer Rada Herrald, Assistant United States Attorneys, for a pre-trial motions hearing in the above criminal matter.

Before the court is the government's Motion to Compel Disclosure of Defense Expert's Opinions, Bases, and Reasons for those Opinions (ECF No. 64). The government argues in its motion that the defendant's disclosure does not provide sufficient information—namely, the substance of the Doctor's opinions, i.e., any specific patients or files. In support of its motion, the government cites Rule 16(b) of the Federal Rules of Criminal Procedure. Rule 16 (b) requires a defendant to disclose, at the government's request, a written summary of any testimony that the defendant intends to use under Rule 702, 703, or 705. This summary must describe the witnesses' opinions, the

bases and reasons for those opinions, and the witnesses' qualifications. Fed. R. Crim. P. 16(b)(1)(C).

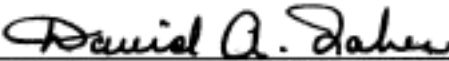
Upon review of the disclosures made by the defendant, and in light of Rule 16(b), the court finds that a more thorough written summary of the expert's opinions and bases for those opinions is necessary. Thus, the government's Motion to Compel Disclosure of Defense Expert's Opinions, Bases, and Reasons for those Opinions (ECF No. 64) is **GRANTED**.

The defendant has until February 13, 2019 to disclose this information to the government.

The Clerk is directed to send a copy of this Memorandum Opinion and Order to counsel of record, to the United States Marshal for the Southern District of West Virginia, and to the Probation Office of this court.

IT IS SO ORDERED this 5th day of February, 2019.

ENTER:

A handwritten signature in black ink, reading "David A. Faber", is written over a horizontal line.

David A. Faber
Senior United States District Judge